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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1107 OF 2006**
**WITH**
**INCOME TAX APPEAL (LOD) NO.464 OF 2006**

The Commissioner of Income Tax ..Appellant.

V/s.

Mr. Fakruddin N. Mansuri ..Respondent.

Mr.R.K. Sharma for appellant.

Ms Aasifa Khan for respondent.

**CORAM : F.I.REBELLO AND**
**J.P.DEVADHAR, JJ.**

**DATED : 1ST OCTOBER, 2007.**

**P.C. :-**

As the tax incidence is less than Rs.4 lakhs, learned counsel for the appellant seeks leave to withdraw the Motion and the appeal. Motion and appeal are dismissed as withdrawn. The question of law, if any, is left open for consideration in an appropriate case. Refund of Court fees as per rules. Certified copy expedited.

**(F.I.REBELL0, J.)**

**(J.P.DEVADHAR, J.)**